

May 17, 2004  
Case No.: DP-309696 (7500/245)  
Serial No.: 10/650,642  
Filed: August 28, 2003  
Page 7 of 8

-- REMARKS --

**A. Claims 1, 3, 5-9, 11 and 13-17 were rejected under 35 U.S.C. §103(a) as unpatentable over Lochmahr**

The 103(a) rejection of claims 1, 3, 5-9, 11 and 13-17 as unpatentable over Lochmahr is traversed. For this 103(a) rejection to stand, each and every element of claims 1, 9 and 17 must be taught or suggested by Lochmahr.

At a minimum, Lochmahr does not teach or suggest "producing a brake motor control signal based on the determined brake motor temperature value" as claimed in claims 1, 9, and 17. At most, Lochmahr teaches that temperature of the motor may be determined for a direct-current motor using the specified arrangement, and does not address any use for such information.

Withdrawal of the rejections to claims 1, 9, and 17, as well as claims 3, 5-8, 11 and 13-16 depending therefrom is respectfully requested.

**B. Claims 2, 4, 10 and 12 were subject to an objection**

The objections to claims 2, 4, 10, and 12 are traversed. As the claims from which these claims depend are allowable for the reason stated above, these dependent claims are also allowable for at least the same reasons as the independent claim.

May 17, 2004  
Case No.: DP-309696 (7500/245)  
Serial No.: 10/650,642  
Filed: August 28, 2003  
Page 8 of 8

**SUMMARY**

This application is now believed to be in condition for allowance, and such action is respectfully requested. The Examiner is invited to telephone the undersigned with any remaining issues.

Dated: May 17, 2004

Respectfully submitted,  
**ROBERT J. DISSER**

DELPHI TECHNOLOGIES, INC.  
Legal Staff  
PO Box 5052  
Mail Code: 480-410-202  
Troy, Michigan 48007-5052  
Phone: (248) 813-1250

---

Michael D. Smith  
Registration No. 40,181  
Attorney for Applicant

CARDINAL LAW GROUP  
Suite 2000  
1603 Orrington Avenue  
Evanston, Illinois 60201  
Phone: (847) 905-7111  
Fax: (847) 905-7113

---



Frank C. Nicholas  
Registration No. 33,983  
Attorney for Applicant